

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LAURIE L. SERHAN,

Defendant.

4:01CR72

ORDER

Defendant Laurie L. Serhan (Serhan) appeared before the court on January 17, 2014, on the Amended Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 370). Serhan was represented by Assistant Federal Public Defender Michael F. Maloney and the United States was represented by Special Assistant U.S. Attorney David M. Wear. Through her counsel, Serhan waived her right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition alleges probable cause and that Serhan should be held to answer for a final dispositional hearing before Senior Judge Richard G. Kopf.

The government moved for detention. Through counsel, Serhan presented a letter from Heartland Family Services reflecting a substance abuse evaluation appointment for January 28, 2014. Counsel argued Serhan appeared by summons for the hearing and initiated steps to curb her addiction. Since it is Serhan's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that she is neither a flight risk nor a danger to the community, the court finds Serhan has failed to carry her burden in light of additional charges she has sold and used methamphetamine and committed a crime of forgery after being summonsed for the original petition in this case. Serhan should be detained pending a dispositional hearing before Senior Judge Kopf.

IT IS ORDERED:

1. A final dispositional hearing will be held before Senior Judge Richard G. Kopf in Courtroom No. 1, Fourth Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 12:00 p.m. on February 28, 2014**. Defendant must be present in person.

2. Defendant Laurie L. Serhan is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 17th day of January, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge